

REMARKS

This application has been reviewed in light of the Office Action mailed on March 1, 2004. Claims 2-5, 8-9, 11-14, 17-18 and 21-23 are pending in the application with Claims 8, 9, 17, 18, 21, 22 and 23 being in independent form.

I. Rejection of Claims 2-5, 8, 9, 11-14, 17, 18 and 21-23 Under 35 U.S.C. §103(a)

Claims 2-5, 8, 9, 11-14, 17, 18 and 21-23 were rejected under 35 U.S.C. §103(a) over U.S. Patent No. 6,312,381 B1 issued to Knell et al ("Knell et al."). The rejection with respect to Claims 2-5, 8, 9, 11-14, 17, 18 and 21-23 is respectfully traversed.

Knell et al. discloses a medical diagnostic ultrasound system and method. At column 29, line 55 to column 31, line 50, Knell et al. discloses composite image embodiments where each image presented for display on a medical diagnostic ultrasound imaging system comprises at least two image components. An image component, according to Knell et al., can comprise, for example, ultrasound image data, text, graphics and/or measurements. Image components can be displayed on separate areas of the image or can be overlaid on one another (such as when measurements are displayed on top of ultrasound image data). There is no disclosure by Knell et al. that the image components can be used to mask identified patient information displayed by a diagnostic ultrasound image. The Examiner states that Knell et al. discloses a method of selectively removing patient data from an image transmitted over a network, and that such removal is equivalent to the masking of such data.

Applicant respectfully submits that by masking the data as opposed to removing the data from the image provides at least two advantages and as such, the former method is not merely an obvious design choice over the latter method. First, in contrast to the

disclosure provided by Knell et al., the ability of Applicant's system and method to mask the data displayed by an image, as recited by Applicant's claims, enables the data to be resident with the image. Accordingly, the data can be transmitted together with the image to a receiving computer. A user of the receiving computer can then unmask the data for viewing. In the disclosure provided by Knell et al., if the data is removed prior to transmission of the diagnostic image, the data is not resident with the image and as such, a receiving computer only receives the image. Accordingly, the receiving computer is not able to display the removed data for viewing.

Second, if a mask is applied during image acquisition, sensitive patient information is prevented from being permanently stored on a data storage device. (See lines 27-30 of the specification). In the embodiments disclosed by Knell et al., the data is saved, e.g., in one of the managers 1005, 1015, 1025, 1035, during image acquisition. See column 30, lines 19-31. After image acquisition, the data can then be removed. Accordingly, the removal of data as disclosed by Knell et al., as opposed to the masking of data as recited by Applicant's claims, can compromise sensitive patient information after such information is stored on a data storage device subsequent to image acquisition and prior to the removal of such data.

Therefore, it is believed that Claims 8, 9, 17, 21 and 23 are patentably distinct over the prior art reference and accordingly, withdrawal of the rejection with respect to Claims 8, 9, 17, 21 and 23 under 35 U.S.C. §103(a) over Knell et al. and allowance thereof are respectfully requested.

Claims 2-5 and 11-14 depend from independent Claims 8 and 17 and thus are limited by the language recited by independent Claims 8 and 17. Accordingly, for at least

the reasons given above for Claims 8 and 17, withdrawal of the rejection with respect to Claims 2-5 and 11-14 under 35 U.S.C. §103(a) over Knell et al. and allowance thereof are respectfully requested.

II. Conclusions

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 2-5, 8-9, 11-14, 17-18 and 21-23, are believed to be in condition for allowance and patentably distinguishable over the art of record.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call John Vodopia, Esq., Intellectual Property Counsel, Philips Electronics North America, at 914-333-9627.

Respectfully submitted,



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